

00574741

B: 1139 P: 298 Fee \$0.00
Patsy Cutler, Iron County Recorder
06/30/2008 10:31:28 AM By GOVERNOR/STATE OF UTAH

**Supplement to Amended Acknowledgment and
Amended Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Iron County known as EAST SUMMIT FRONTAGE RD; County Road Number: 433; State Geographic Information Database (SGID) Road Identification Number: RD110433.

This document supplements and supports the information contained in the document first recorded at **Doc # 00555415, Bk 1094, Beg Pg 408**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/14/2008** at **Doc # 00567624, Bk 1122, Beg Pg 7**. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of June, 2008.

By the Governor's Designee

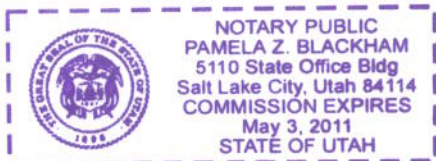


John Harja

CERTIFICATION

State of Utah)
: ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.



Dated this 25th day of June, 2008.


Notary Public

Exhibit A

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AFFIDAVIT OF LYNN FIACK
EAST SUMMIT FRONTAGE ROAD
IRON COUNTY, UTAH
ROAD NUMBER 433

State of Utah

)

: SS.

County of Iron

)

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LYNN FIACK, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.
2. I have traveled and am familiar with a road in Iron County known as East Summit Frontage Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2004 when I last observed it. Attached is a Iron County map showing East Summit Frontage Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
3. I am informed that the County also identifies this road according to the road number listed above.
4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 2004. Throughout this time period I have observed travel on the road by means of pickup trucks, road maintenance vehicles and trucks. Throughout this time period, the road has been used daily.
5. Throughout the time period from the early 1960s to 2004, I have used the road

myself for road maintenance, recreation and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, gravel operations, farming and traveling in and through the area.

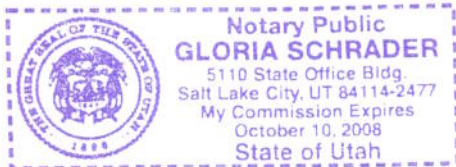
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed maintenance and construction activities on the road.

DATED this 20 day of December, 2006.


LYNN FIACK

SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.




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EAST SUMMIT FRONTAGE ICO-0433

T35S R10W

T35S R

IRON COUNTY



EAST SUMMIT FRONTAGE
ICO-0433

MAP PROJECTION INFORMATION
PROJECTION: UTM WAD 1983 METERS
ZONE: 12N

SECTION NUMBERING SYSTEM
SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2008

IRON COUNTY GIS

Legend:

- EAST SUMMIT FRONTAGE
- RAILROAD
- LOCAL ROAD/PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- WILDERNESS
- Colony
- Fence Crossing
- AKC DND
- Road Photo
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE

AFFIDAVIT OF NEIL JAMIESON FORSYTH

EAST SUMMIT FRONTAGE ROAD

IRON COUNTY, UTAH

ROAD NUMBER 433

State of Utah)
 : ss.
County of Iron)

NEIL JAMIESON FORSYTH, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as East Summit Frontage Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing East Summit Frontage Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the early 1970s to the present, I have used the road myself for hunting and road maintenance.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, recreation, travel to and from schools, mail delivery, wood gathering, government access and traveling in and through the area.

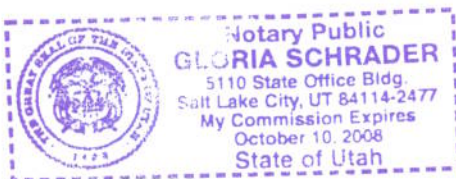
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed maintenance and construction activities on the road.

DATED this 20th day of December, 2006.


NEIL JAMIESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.




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EAST SUMMIT FRONTAGE ICO-0433

T35S R10W

T35S R

EAST SUMMIT FRONTAGE ICO-0433



MAP PROJECTION INFORMATION
PROJECTION: UTM HAD 1983 METERS
ZONE: 12N



SECTION NUMBERING SYSTEM
SUBSECTIONS ARE NUMBERED BY IRON
COUNTY AND WERE LAST UPDATED ON
FEBRUARY 25, 2006



- EAST SUMMIT FRONTAGE
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- CANYON
- FENCE CROSSING
- JACK DAND
- ROAD PHOTO
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS



IRON COUNTY

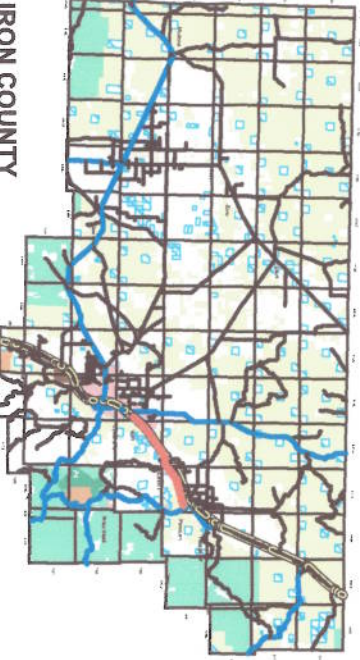


Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: EAST SUMMIT FRONTAGE RD

County: Iron

County Road Number: 433

State Geographic Information Database (SGID) Road Identification Number: RD110433.

Total Road Length: 14.01 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 44 minutes 20.67 seconds North Latitude and -113 degrees 02 minutes 34.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,194,301.9 feet and Y = 10,236,662.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 50 minutes 15.39 seconds North Latitude and -112 degrees 49 minutes 39.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,257,035.0 feet and Y = 10,271,583.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 34 South Range 10 West, Section(s) 35,36, Salt Lake Base & Meridian

Township 34 South Range 9 West, Section(s) 20,21,22,23,24,29,30,31, Salt Lake Base & Meridian

Township 35 South Range 10 West, Section(s) 2,3,4,8,9,17,18,19, Salt Lake Base & Meridian

Township 35 South Range 11 West, Section(s) 24, Salt Lake Base & Meridian

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